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A

DECLARATION

Of The

LORDS and COMMONS

Assembled in PARLIAMENT,

With their Resolution.

That if Captaine *Catesby*, Captaine *Lilborne*, Captaine *Vivers*, or any others, which are or shall be taken Prisoners, by his Majesties Army, shall be put to death, or any other hurt or Violence offered to their Persons, for their faithfull endeavours in the Parliaments service, the like punishment shall be inflicted by death, or otherwise, upon such Prisoners, as have bin or shall bee taken by the forces raised by authority of both Houses of Parliament.

Also that if Judge *Heath*, or any other Minister of Justice shall doe contrary to this Ordinance, they for so doing shall be proceeded against, and dealt with, as enemies to the King and Kingdome.

Die Sabbathi, *Decemb.* 17. 1642.

ORdered by the Lords and Commons Assembled in Parliament, that this Declaration be forthwith Printed and published.

John Browne, Cler. Parl.

Decemb. 19. Printed for *John Wright* in the Old-Bailey. 1642.

O

A DECLARATION Of the LORDS and COMMONS Assembled in PARLIAMENT.

Die Sabbathi, 17. Decemb. 1642.

WHereas Information hath bin given to the Lords and Commons assembled in Parliament, That *Clifton Catesby*, *John Litborne*, and *Robert Vivers*, Captaines in the Army, raised by Authority of

both Houſes of Parliament, for the neceſſary defence of the true Proteſtant Religion, the King, parliamen*, and Kingdome, under the Command of *Robert* Earle of *Eſſex*, Captaine Gene rall thereof, were taken priſoners by the Forces raiſed againſt the parliament, in executing their ſeverall duties and ſervices, according to the Ordinances of both the ſaid Houſes, and after carried priſoners to *Oxford* Goale, and having beene moſt Barbarouſly uſed, are now queſtioned and proceeded againſt by way of Indictment, before Sir *Robert Heath* Knight, one of His Majeſties Juſtices of the Kings Bench, and others (by colour of ſome Commiſſion

mission or other Authority from His Majestie) for high Treason and other supposed Misdemeanors, whereas many have beene taken prisoners by the Parliament Forces, in the Act of Warre against the parliament, which by the Lawes and Statutes of this Realme is Rebellion and high Treason against the King and Kingdome, and the Actors therein Traytors, and yet none of them hath hitherto beene put to death, or otherwise severely dealt with by the parliament.

It is therefore Ordered and Declared by the said Lords and Commons, that all such Indictments and other proceedings against the said Captaine *Gatesby*,

Captaine *Lilborne*, and Captaine *Vivers*, or against Captaine *Wingate*, who have done faithfull and good ſervice to the Common Wealth, or againſt any other perſon or perſons who have done or ſhall doe ſervice in the ſaid Army, or for the Rayſing of any Money, plate, Horſe, or Armes, for the maintenance thereof, or otherwiſe in Execution of, or purſuance of any Order or Ordinance of both or either of the ſaid Houſes of parliament, for the defence of the publique ſafetie, are injuſt and illegall: and the ſaid Sir *Robert Heath*, and all other Commiſſioners, Iuſtices, Sheriffs, Iurors, and other Officers and Miniſters of Iuſtice, and

other perſons whatſoever, are hereby required and injoyned, to ſurceaſe any further proceeding againſt the ſaid perſons before named, or any other for any the cauſes aforeſaid, upon the ſaid Indictments or otherwiſe; And the ſaid Lords and Commons doe further declare, that if the ſaid perſons before named, or any of them, or any other, ſhall be put to death, or other hurt or violence offered to their or any of their perſons, for, or by reaſon of any ſuch ſervice done, or to be done, by, or according to any Order or Ordinance of both or either of the ſaid Houſes, the like puniſhment ſhall be inflicted by death or otherwiſe upon ſuch priſoners

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soners as have been or shall be taken by the Forces raised by Authority of both Houses of Parliament; And if the said Sir *Robert Heath*, or any other Commissioner, Iustice, Sheriffe, Juror, or other Officer, or Minister of justice, or other person shall doe contrary to this Ordinance in any the premises, they and every of them for so doing, shall be proceeded against, and dealt with, as Enemies to the King and Kingdome.

FINIS.